

STATE OF CALIFORNIA  
FISH AND GAME COMMISSION  
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION  
(Pre-publication of Notice Statement)

Amend Sections 300 and 600  
Title 14, California Code of Regulations  
Re: Seasons and Bag Limits for Upland Game Birds, and Licensed Game Bird Clubs

I. Date of Initial Statement of Reasons: March 29, 2004

II. Dates and Locations of Scheduled Hearings:

(a) Notice Hearing: Date: May 4, 2004  
Location: San Diego, California

(b) Discussion Hearing: Date: June 25, 2004  
Location: Crescent City, California

(c) Adoption Hearing: Date: August 6, 2004  
Location: Bridgeport, California

III. Description of Regulatory Action:

(a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

1. Permit ranges for Sage Grouse

Existing regulations [Section 300(a)(1)(D)(4)] allow 100 two-bird permits for the East Lassen Zone, 40 two-bird permits for the Central Lassen Zone, 10 one-bird permits for the North Mono Zone, and 25 one-bird permits for the South Mono and Inyo Zone. Under the current regulatory cycle, the Fish and Game Commission notice hearing date for sage grouse regulation changes occurs in May. However, the final sage grouse population survey results are not available until after the date that the Department must submit proposed regulation changes to the Commission. The Department is proposing a range of maximum and minimum hunting permit numbers to the Commission, with the provision that the actual number of permits recommended for each hunt will be based on strutting ground counts conducted in April.

The proposed ranges are 10 to 375 permits for the East Lassen Zone, 10 to 175 permits for the Central Lassen Zone, 10 to 100 permits for the North Mono Zone, and 10 to 100 permits for the South Mono and Inyo Zone. To allow the Department to recommend appropriate hunting permit quotas which reflect the results of population surveys, ranges of permit quotas are proposed at this preliminary stage of the regulation review process.

2. Change in Zone Boundary for South Mono and Inyo Sage Grouse Hunt Zone

The existing boundary for this zone [Section 300(a)(1)(D)(3)(d)] results in hunting being restricted to areas of lower sage grouse populations. The proposed zone changes would close areas with sparse sage grouse populations, and focus hunting where most sage grouse occur. Since a permit system is used, only a limited number of birds can be taken.

3. Increased Archery Season Length for Wild Turkeys

The existing archery spring hunting season for turkeys [Section 300(a)(2)(G)(1)(b)] opens on the last Saturday in March, extending for 37 days. The archery season coincides with the general season [Section 300(a)(1)(G)(1)(b)]. Archery hunters have requested an additional two weeks following the end of the general season. The Department believes that this additional archery season would provide more hunting opportunity, yet would result in only a small number of additional gobblers being taken.

4. Amend Licensed Game Bird Club Regulations to Eliminate Outdated Reporting Information

Existing language in Section 600(a)(7) (Shooting Records Maintenance) requires that reports be sent to the Department's Wildlife Management Division at 1416 Ninth Street in Sacramento. This address is no longer appropriate, and the recommended language states that the report forms be sent to an address to be determined by the Department.

Similarly, existing language in Section 600(a)(1) (Application Form) lists an address and phone number for the License and Revenue Branch. This specific information is unnecessary in regulatory language.

(b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 200, 202, and 203, Fish and Game Code.

Reference: Sections 200 and 203, Fish and Game Code.

(c) Specific Technology or Equipment Required by Regulatory Change:

None

(d) Identification of Reports or Documents Supporting Regulation Change:

None were identified.

(e) Public Discussions of Proposed Regulations Prior to Notice publication:

No public discussions were held prior to the Notice publication. There will be adequate time to review this proposal during the comment period contained in the Commission's regulatory process.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

No alternatives were identified.

(b) No Change Alternative:

1. Permit Ranges for Sage Grouse

The No Change Alternative was considered and found to be inadequate because it would not allow the Department to adjust the number of permits based on the status of the population, which could result in over-harvest or in unnecessary reduction of hunting opportunity.

2. Change in Zone Boundary for South Mono and Inyo Sage Grouse Hunt Zone

The No Change Alternative was considered and found to be inadequate because it would continue to allow sage grouse to be taken in areas of sparse sage grouse populations and would continue to prevent hunting in the area with the largest population.

3. Increased Archery Season Length for Wild Turkeys

The No Change Alternative was considered and found to be

inadequate because it would not provide the increase in hunter opportunity, with relatively little change in turkey harvest, that would result from this regulation change.

4. Amend Licensed Game Bird Club Regulations to Eliminate Outdated Reporting Information

The No Change Alternative was considered and found to be inadequate because existing wording requires that shooting records be sent to an address that is no longer appropriate. Proposed wording eliminates a specific mailing address. Proposed wording also eliminates the mailing address and telephone number of the License and revenue Branch, which is unnecessary in regulatory language.

- (c) Consideration of Alternatives: In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulation change is sufficiently minor that there would be no significant economic impact to businesses.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Nondiscretionary Costs/Savings to Local Agencies:

None.

- (f) Programs mandated on Local Agencies or School Districts:

None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:

None.

- (h) Effect on Housing Costs:

None.

## **Informative Digest/Policy Statement Overview**

### **1. Permit Ranges for Sage Grouse**

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### **4. Amend Licensed Game Bird Club Regulations to Eliminate Outdated Reporting Information**

Existing wording in Section 600(a)(7) (Shooting Records Maintenance) requires that forms showing daily and monthly numbers of each species of birds released and taken on Licensed Game Bird Clubs be sent to a specific address that is no longer appropriate. Proposed wording states that these records shall be sent to an address to be determined by the Department. Existing wording also includes a mailing address and telephone number for the License and Revenue Branch in Section 600(a)(1) (Application Form). Proposed wording deletes this information, which is unnecessary in regulatory language.